



CALIFORNIA STATE PERSONNEL BOARD

801 Capitol Mall • Sacramento, CA 95814

MEMORANDUM

DATE: March 9, 2007

TO: ALL STATE AGENCY PERSONNEL OFFICES

SUBJECT: DESIGNATION OF PEACE OFFICER STATUS ON NOTICES OF ADVERSE ACTION AND REJECTIONS DURING PROBATIONARY PERIOD

Pursuant to the provisions of Government Code sections 19574, subdivision (a), and 19590, subdivision (b), any appointing power taking formal disciplinary action against an employee must file a copy of the notice of adverse action with the State Personnel Board (SPB) within 15 days of the effective date of the disciplinary action. In addition, pursuant to the provisions of Government Code section 19173, subdivision (b), any appointing power rejecting an employee during the employee's probationary period must file a notice of rejection during probationary period with the SPB within 15 days of the effective date of the rejection during probation.

Effective immediately, all notices of adverse action and all notices of rejection during probationary period filed with the SPB in accordance with the above-cited Government Code sections, must expressly denote whether the employee being disciplined or rejected during probation is employed in a peace officer classification. The basis for the requirement is to assist the SPB in protecting the confidentiality of personnel records related to peace officers, as required by the California Supreme Court's decision in *Copley Press, Inc. v. Superior Court (County of San Diego County)* (2006) 39 Cal.4th 1272.

LAURA AGUILERA
Assistant Executive Officer